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June 13, 2012

VIA FACSIMILE

The Honorable Jan E. DuBois
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA
12613 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106

**RE: ANNE E. FIALKOWSKI V. DAVID PERRY, ET AL.
CIVIL ACTION No. 11-cv-5139
OUR FILE No. 701.24200**

Dear Judge DuBois:

In accordance with Your Honor's correspondence dated June 11, 2012, this letter represents the parties' joint report with regard to their attempts to resolve the discovery dispute raised in my correspondence dated June 8, 2012. This afternoon, the parties conducted a conference call in an attempt to resolve their dispute. Despite this discussion, the parties have been unable to resolve the dispute. Therefore, the parties jointly request Your Honor's assistance in resolving this dispute. Per Your Honor's request, Mr. McComb will submit a letter brief on June 15, 2012.

Additionally, the deadline for the Defendants to submit their expert reports is this Friday, June 15, 2012. As such, the Defendants request an immediate suspension of their expert report deadline pending resolution of this expert discovery dispute. Depending upon Your Honor's ultimate decision regarding this issue, Defendants hereby request that their expert reports be due either:

- (1) one-week from the date that the Court requires Plaintiff to produce the disputed documents to the Defendants; or

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- (2) one-week from the date that the Court rules that the disputed documents are not subject to disclosure.

Mr. McComb has no objection to Defendants' request. Additionally, Defendants are amenable to an extension of the current deadline for the completion of expert depositions by the same amount of time involved in postponing Defendants' expert deadline, to ensure that Plaintiff will not be prejudiced by this modest extension of time. The other deadlines set forth in the Court's original Scheduling Order will remain unaffected.

Thank you for your kind assistance with this matter.

Respectfully submitted,

DEASEY, MAHONEY, VALENTINI & NORTH, LTD.

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